

From: Leachman, Rob
To: Microsoft ATR
Date: 12/12/01 3:13pm
Subject: Microsoft Settlement

Your Honor,

Thank you for the opportunity to submit comments regarding the proposed Final Judgement regarding the Microsoft anti-trust case. I only have a few comments, and I will try to be brief. I do not believe the remedies outlined in the proposed settlement are fair.

ONE TIME

1. Too much value placed on Microsoft's donated software

I believe too much of the settlement is based on "\$X worth of Microsoft software". They couldn't sell this software to schools and shouldn't be allowed to credit the price against the settlement as if cash traded hands. Let them credit \$1/CD-ROM to cover printing costs, perhaps a 50% discounted price against the software on the CD, but not more.

2. Insufficient monetary penalties

No company is richer than Microsoft, and since this is due to enjoying and exploiting an illegal monopoly, I feel stricter cash penalties are in order. Perhaps they cannot "give it back" but you could and should make them pay it out.

ONGOING

3. Insufficient technical disclosure

I believe there is far too much "fine print" about the specifications Microsoft will publish in the future. Please force them to publish complete source for every published software offering, perhaps after a 6 month period covered by the of "intellectual capital" copyright provisions today. This will force them to continually innovate, while allowing competitors a better chance of actually competing.

4. Insufficient funding for oversight committee

I think the oversight committee is a great idea, but wish there was more direct funding/staffing. I am sure Microsoft will take care of their appointee, but believe more should be done to guarantee the People's appointee, and the third appointee, have adequate staff to research the information behind the issues. As it stands now, it appears Microsoft could easily overwhelm the committee in data that would hamper adequate resolution of complaints.

Again I thank you for the opportunity to comment, and for your consideration to my suggestions.

Rob Leachman
rob@bitblaster.com
PO Box 931
Corvallis OR 97339